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February 12, 2013

Mr. Ron Curry
Regional Administrator
United States Environmental Protection Agency, Region 6
1445 Ross Ave.
Dallas, TX 75202-2750

Dear Administrator Curry:

Range Resources (“Range”) believes that the safe and responsible development of our nation’s abundant natural resources is critical in moving toward our shared goals of energy independence, economic growth and environmental enhancement that will positively benefit the American people. Facts, science and an open dialogue are essential components necessary to fully maximize these benefits for Americans today and for future generations.

Range is aware that you have recently been solicited to “reopen” the investigation into an allegation that two natural gas wells in Parker County, Texas that Range no longer owns caused or contributed to the presence of methane and other organic compounds in certain domestic water wells. Specifically, by letter dated February 7, 2013 and fueled by what can only be described as misleading and incomplete news reports, seven environmental activist groups¹ urged you to resume legal action against Range. We write in response to correct the misrepresentations and to note that Range was then and is now well prepared to prove its innocence.

In sum, these activists would have EPA revisit its decision to withdraw the ill-conceived unilateral “emergency” order issued by your predecessor, a person that stood for an enforcement philosophy based on intimidation and against a conscientious administration of the law in accordance with the scientific evidence. Similarly unbounded by the science that conclusively disproved the EPA’s allegations against Range, these activist groups want EPA to ignore the full body of scientific evidence presented to the EPA and Railroad Commission of Texas that led to unequivocal exoneration of Range and dismissal of the EPA’s enforcement

¹ Clean Water Action Texas, Earthworks, Environment Texas, Environmental Working Group, GASLAND, Public Citizen Texas and Texas Drought Project.

action. The American public deserves the right to know that our natural resources are being responsibly developed in a safe manner, particularly the residents of Parker County, some of whom expressed deep concern when the former Regional Administrator appeared on local television fostering fear and confusion based on demonstrably false accusations.

For the eventual decision to fully withdraw the order, we applaud the EPA. To be clear, as EPA well knows, there was no “secret” deal that caused EPA to terminate its action – there was only sound science and good judgment. To suggest otherwise is absurd. It is particularly ridiculous to suggest that EPA bargained away an enforcement action that it initially claimed threatened the well-being of individuals in favor of Range’s participation in a study, which Range is presently not participating in, that could have been conducted at any one of thousands of hydraulic fracturing operations. There simply is nothing that EPA needed from Range in that regard and the fact that Range agreed to allow EPA to access its sites after the dismissal of the Parker County matter is testimony only to Range’s renewed confidence following the dismissal that EPA would follow the science even if it was not politically convenient. The truth is as Range stated at the time of the EPA’s full withdrawal of the order: “we believe that the industry and the Agency should work in a cooperative way toward a goal of providing the American people the benefit of our domestic energy resources.”

But every conspiracy theory needs a premise and this instance is no different. Exposure of the Thyne report, which according to the author was only a preliminary draft based on scant information, serves as the brittle foundation for the activists’ present demands. Again, as EPA well knows, Dr. Geoffrey Thyne never saw the bulk of the scientific evidence available in this matter. Among many other information gaps, Dr. Thyne never had the benefit of the evidence presented by preeminent scientists and other experts under oath to the Railroad Commission. In fact, Dr. Thyne’s report is devoid of any discussion of the geology in the area, much less the gas bearing zone known as the Strawn formation and the well-documented history of natural gas occurrence in water wells in the area. All of these facts were omitted from what we can only describe as biased journalism at best.

At this stage, Range does not fault Dr. Thyne or EPA for an inadequate myopic analysis. Range understands that EPA was preparing for litigation and hired Dr. Thyne because EPA had no one qualified to analyze the available data, as was evidenced in internal email messages and external communications, not to mention the deposition of the EPA’s appointed representative, John Blevins, where he admitted that EPA scientists never determined that Range did anything wrong. Simply put, Dr. Thyne was hired by EPA to support its case and given only a fraction of the available information. As with EPA’s initial review of the facts of this matter, by no means was the report persuasive or complete. The suggestion that Dr. Thyne’s report was “independent” and therefore compelling evidence is patently absurd.

Finally, the activists' letter borrows from another mistaken news item that inexplicably links an unauthorized communication with EPA by the former Governor of Pennsylvania approximately one year before the EPA elected to fully withdraw its unilateral order against Range. On this point, Range cannot be more emphatic – at no time did Governor Rendell have authority to negotiate on Range's behalf and Governor Rendell was not involved in any way in the resolution of this matter. This is a statement of fact that was reiterated by Governor Rendell. The confusion as to the capacity that the Governor was functioning appears to derive from an email where a staff member is sharing a message of the Governor's visit to Administrator Jackson. The same message earlier referred to Governor Rendell as "Senator Rangel."

It is shocking but far from surprising that these activist groups are essentially alleging that Administrator Jackson succumbed to political pressure and put people at risk. Nothing could be farther from the truth. Instead, in this instance, Administrator Jackson followed the science and her conscience and reviewed the case in a fair and objective manner. This objective review, and nothing more, lead to the EPA's full withdrawal of the order. EPA dismissed the action against Range because it was the right thing to do based on facts, science and sound judgment.

Range continues to look forward to responsibly developing our nation's abundant natural resources and, in doing so, providing our nation and future generations with access to a reliable, affordable and clean source of domestic energy. The American people deserve the right to know that by developing these resources it is not a choice of the economy over the environment. In fact, just the contrary, responsibly developing these resources can and is benefitting both.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Poole", written in a cursive style.

David P. Poole

cc: David Foster
Bruce Baizel
Luke Metzger
Dusty Horwitt
Josh Fox
Tom "Smitty" Smith
Alyssa Burgin